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September 26, 2003

Attorney Docket No.: CIT1360-3
Parent Application No.: 10/002,389
Parent Filing Date: November 30, 2001
Parent Inventors: Duncan Odom

03970 U.S. PTO
10/672408
092603

Mail Stop PATENT APPLICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Presented for filing is a new **Divisional** patent application of:

APPLICANT : Duncan Odom

**TITLE : CHIMERIC CELL-TARGETING PATHOGENIC ORGANISM
AND METHOD OF THERAPEUTIC USE**

The prior application is assigned of record to **CALIFORNIA INSTITUTE OF TECHNOLOGY**, by virtue of an assignment submitted to the Patent and Trademark Office for recording on May 29, 2002, at Reel 012930, Frame 0886.

Enclosed are the following papers, including all those required for a filing date under 37 C.F.R. § 1.53(b):

Pages of Specification	23
Pages of Claims	5
Pages of Abstract	1
Pages of Declaration (from Parent)	3
Sheets of Drawing	26

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I hereby certify under 37 CFR. § 1.10 that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" with sufficient postage on the date indicated above and is addressed to the Mail Stop PATENT APPLICATION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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This request includes Three (3) sheets and the following:

- Preliminary Amendment (5 pages);
- Information Disclosure Statement (2 pages);
Form PTO-1449 (filed in parent application) (1 page);
- Request for Transfer of Computer Readable Form (2 pages);
- Sequence Listing (5 pages);
- Check No. 544908 in the amount of \$375.00; and
- Return Receipt Postcard.

Under 35 USC § 121, this application is a **divisional** application of U.S. Application Serial No. 10/002,389 filed November 30, 2001, now pending; which claims priority under 35 USC § 119(e) to U.S. Application Serial Nos. 60/297,995 filed June 13, 2001, now abandoned and 60/251,523 filed December 5, 2000, now abandoned. The disclosure of each of the prior applications is considered part of and is incorporated by reference in the disclosure of this application.

Applicants claim **SMALL ENTITY** status in the above-identified application. Pursuant to 37 CFR. § 1.27, a verified statement claiming small entity status is not required.

The filing fee is calculated as follows:

	Number Filed		Number Extra		Rate			Fee	
					Small Entity	Large Entity		Small Entity	Large Entity
Total Claims	5-20	=	0	X	\$09	\$18	=	\$.00	\$.00--
Independent Claims	1-3	=	0	X	\$42	\$84	=	\$.00	\$.00
Multiple Dependent Claims Presented: ___ Yes <u>X</u> No					\$140	\$280		\$ ---	\$ ---
					BASIC FEE			\$ 375.00	\$ 750.00
					TOTAL FEE			\$ 375.00	\$.00

Enclosed is Check No. 544908 in the total amount of \$375.00; which consists of \$375.00 for the filing fee. The Commissioner is hereby authorized to charge any additional fees associated with the filing submitted herewith, or credit any overpayment, to Deposit Account 50-1355,

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referencing the Attorney Docket number shown above. A duplicate copy of this transmittal letter is attached.

If this application is found to be INCOMPLETE, or if it appears that a telephone conference would helpfully advance prosecution, please telephone the undersigned at (858) 677-1456.

Kindly acknowledge receipt of this application by returning the enclosed postcard.

Please send all correspondence to:

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Respectfully submitted,

GRAY CARY WARE & FREIDENRICH LLP

September 26, 2003

Date



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Enclosures